



WYOMING DEPARTMENT OF CORRECTIONS

Policy and Procedure # 5.601 Religious Diet Program for Inmates

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Authority: Wyoming Statute(s): 25-1-104; 25-1-105 ACA Standard(s): 4-4319; 4-4517	Effective Date: June 18, 2012 Revision/Review History: 01/01/09 04/01/06 Summary of Revision/Review: Revises existing policy to ensure compliance with ACA standards.
Cross Reference of Policy: P&P #4.401, <i>Food Preparation, Service and Delivery</i> ; P&P #5.600, <i>Inmate Religious Activities</i>	Supersedes Existing Policy :
Approved: R.O. Lampert Robert O. Lampert, Director	
5-3-12 Date	

APPROVED FOR INMATE DISTRIBUTION

This policy cannot be modified, amended or deleted by any operational procedure, post order or warden's directive without approval of the WDOC Director, or his/her designee.

The policy and procedures set forth herein are intended to establish directives for staff members and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty or property interests for staff members or inmates, or an independent duty owed by the WDOC to staff members, inmates, or third parties. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REFERENCE

1. ATTACHMENTS

- A. WDOC Form #504, *Inmate Religious Diet Program Questionnaire*
- B. WDOC Form #505, *Inmate Religious Diet Program Participation Agreement*
- C. WDOC Form #506, *Inmate Religious Diet Program Notice of Violation*

2. OTHER – None Noted



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I. PURPOSE

- A. **Participation in the Religious Diet Program.** The purpose of this policy is to establish procedures and regulations governing participation in the Wyoming Department of Corrections (WDOC) food service operation's Inmate Religious Diet Program.

II. POLICY

- A. **Balanced Diets that Allow for Variety and Choice.** It is the policy of the WDOC to provide inmates with a wholesome, nutritionally balanced diet, which allows for daily variety and for personal choice from among the menu items offered on the food services main line, in order to meet individual dietary needs and most restrictions on diet that result from dietary preferences espoused by most religions. (See WDOC Policy & Procedure #4.401, *Food Preparation, Service and Delivery*, and WDOC Policy & Procedure #5.600, *Inmate Religious Activities*.)
- B. **Religious Dietary Requirements Outside the Routine Menu.** Within the inherent limitations of resources and the need for facility security, safety, health and order, it is the policy of the WDOC to afford inmates a reasonable and equitable opportunity to observe the religious dietary requirements that are mandated by the religious tenets of officially recognized faith groups in WDOC correctional facilities in accordance with the procedures outlined in this policy, when the regular menu offerings and self-selection from the main food service line, including the no-flesh option and heart healthy alternatives, do not otherwise routinely do so. (See WDOC Policy & Procedure #5.600, *Inmate Religious Activities*.)
1. Special diets for inmates whose religious beliefs require adherence to religious dietary laws shall be provided in accordance with this policy. (ACA 4-4319)
 2. Inmates shall have the opportunity to participate in practices of their religious faith, including adherence to dietary requirements, which are deemed essential by the faith's judicatory, limited only by documentation showing threat to the safety of persons involved in such activity or that the activity itself disrupts order in the institution. (ACA 4-4517)
- C. **Sincerity of Convictions when Requesting Religious Diet.** It is the policy of the WDOC to reasonably inquire into the sincerity of an inmate's religious belief prior to approving a request for religious diet privileges and reject those requests that are deemed pretextual. In doing so the facility chaplain shall



determine if the request is a constituent part of a larger pattern of religious observance on the part of the inmate and the result of the inmate's religious conviction and the tenets of his/her faith, rather than his/her secular predilection.

- D. **WDOC Food Service Department.** It is the policy of the WDOC that the food service department is the only source of procurement for all meal items. Food, including ritual/traditional foods for regular meals, approved ceremonial meals or religious functions, may not be catered or donated.

III. DEFINITIONS

- A. **Food Services Main Line:** The variety of menu items offered to inmates on the main serving line and/or through regularly prepared tray service as part of the institution's master menu approved by a licensed dietician.
- B. **Heart Healthy Alternative:** An item or items available on the master menu, which have been reviewed by the dietician and noted on menu postings as a heart healthy choice (*i.e.*, high in fiber, vitamins, and minerals and/or low in fat, calories, sodium, and cholesterol).
- C. **No-Flesh Option:** Availability of menu items which permit self-selection by any inmate who is not participating in the food services religious diet program, but who chooses to avoid the consumption of animal flesh (*e.g.*, meat, poultry, fish and seafood).
- D. **Prison Division Deputy Administrator for Support Services:** (*For this policy only.*) The person assigned responsibility for administering the support services programs within the prison division, including oversight responsibility for religious programming, activities and services for the Wyoming Department of Corrections.
- E. **Religious Diet:** Dietary restrictions imposed as a result of a mandatory religious tenet of a particular officially recognized faith group which can not otherwise be routinely satisfied through self-selection from the menu items available on the main food service line and served only to inmates whose names are on the religious diet approved participant list. Religious diets include:
1. **Kosher Religious Diet:** A pre-approved diet prepared and served to Jewish inmates in accordance with Kashruth standards established by the Union of Orthodox Congregations of America.



2. **Pork-Free (“Wholesome Meats”) Religious Diet:** A diet that is free of pork, pork products and shellfish, but which may include other meats and fowl, eggs, milk and dairy products as approved by religious tenets, prepared by food services staff and inmates in a way that does not permit it to come into contact with pork content, including utensils used for the preparation of pork and its products prior to a complete washing, and served to those faith groups recognized to eat only “wholesome or clean meats”.
 3. **Vegetarian Religious Diet:** A diet that consists totally of vegetables, vegetable oils, grains and seeds, with no onions, garlic, animal food or dairy products; a diet that excludes animal flesh (*e.g.*, meat, poultry, fish and seafood) and animal products (*e.g.*, eggs, dairy and honey), as well as onion and garlic, in its preparation and service, prepared by food services staff and inmates and served to pre-approved members of those faith groups recognized to eat only vegetarian diets.
- F. **Staff Member:** (*For this policy only.*) Wyoming Department of Corrections’ employees (temporary and permanent), contractors, volunteers, on-site vendors, and persons from other agencies, organizations and businesses whose work is performed primarily on or within Wyoming Department of Corrections correctional institutions or facilities.

IV. PROCEDURES

A. Request Process

1. Inmates in WDOC correctional facilities, who do not have access to the inmate dining room or to the menu choices available to inmates on the main serving line, may request that they be served the no flesh alternative to satisfy personal or religious preferences.
 - i. Such requests shall be in writing addressed to the food service manager at his/her assigned correctional facility.
 - ii. The food service manager shall have no more than ten (10) working days to respond to the inmate’s request.
 - iii. Once the request has been received and approved in writing by the food service manager, the no flesh option shall remain valid for a period of one (1) year, unless rescinded earlier by the written request of the inmate.



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- m. Thelema;
 - n. Unity;
 - o. Wicca; and
 - p. Other religions not included in the listing under section IV.A.2.ii. below.
- ii. The religious tenets of the following religions may be met through self-selection from the food services main line, including the no flesh option, or the inmate may request to be considered for participation in the Inmate Religious Diet Program in accordance with this policy and the guidelines of the *WDOC Handbook of Religious Beliefs*, when the regular menu offerings and self-selection from the main food service line, including the no-flesh option, do not otherwise routinely permit adherence to those religious diet mandates:
 - a. Judaism;
 - b. Islam;
 - c. Moorish Science Muslim;
 - d. Nation of Islam;
 - e. Seventh-Day Adventist;
 - f. Sufism;
 - g. Worldwide Church of God;
 - h. Buddhism;
 - i. Hindu;
 - j. International Society for Krishna Consciousness;
 - k. Rastafarian; and
 - l. Sikh.



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3. An inmate who desires to participate in the Inmate Religious Diet Program may request to do so by submitting a written request on an inmate communication form (WDOC Form #320) to the facility chaplain or designee. This written request must articulate the specific religious motivation for participation in the program.

B. Approval Process

1. Upon receiving an inmate's written request to participate in the Inmate Religious Diet Program, the facility chaplain or designee shall furnish the inmate with a questionnaire that must be completed by the inmate and returned to the facility chaplain or designee as part of the approval process. (See WDOC Form #504, *Inmate Religious Diet Program Questionnaire*.)
2. The facility chaplain or designee shall review the questionnaire (WDOC Form #504, *Inmate Religious Diet Program Questionnaire*) to ascertain the inmate's claimed faith and shall furnish the inmate with an educational packet developed at the direction of the Prison Division Deputy Administrator for Support Services by the chaplaincy staff or an approved religious representative of that faith for that particular faith group regarding the dietary tenets of that religion to enable the inmate to meet the claimed tenets through self-selection from the food services main line, including the no flesh option, pending review of the inmate's request for religious diet approval.
3. The facility chaplain or designee may forward the completed questionnaire (WDOC Form #504) to an approved religious representative of that faith for verification that the inmate is of that faith by birth or by conversion in accordance with the religious doctrinal requirements of that faith.
 - i. In those circumstances where a method of verification is not available, the inmate shall, at a minimum, be required to declare their membership in that faith in writing and be subject to an interview by the facility chaplain prior to participating in the Inmate Religious Diet Program.
 - ii. The facility chaplain or designee may consult with a religious representative of a faith group or otherwise conduct research regarding the tenants of the faith group to determine requirements of the faith group and to assist in evaluating the sincerely held beliefs of the inmate.



- iii. Inmates participating in the Inmate Religious Diet Program upon their own faith declaration, may not change their faith designation for purposes of participation in another aspect of the Inmate Religious Diet Program, except as approved by the facility chaplain following voluntary termination and re-application for participation in the Inmate Religious Diet Program after a waiting period of at least ninety (90) days.
 - iv. Inmates shall not be entitled to participate in the Inmate Religious Diet Program based solely on their own faith declaration unless the sincerity of the claimed adherent's beliefs and understanding of the faith are demonstrated during the interview with the facility chaplain.
- 4. If the approved religious representative verifies that the inmate is of the faith claimed in accordance with the religious doctrinal requirements of that faith, or the inmate has declared his/her faith in writing and a method of verification is not available, the facility chaplain shall schedule the inmate for a conference to discuss the requirements of participation in the Inmate Religious Diet Program for that particular faith group.
 - i. Each inmate who requests to participate in the Inmate Religious Diet Program shall be personally interviewed by the facility chaplain.
 - ii. The religious dietary accommodations to be made for each inmate, if any, shall be based upon the information provided by the religious representative, dietary guidelines contained in the *WDOC Handbook of Religious Beliefs*, the results of the interview and sound professional and correctional judgment.
- 5. If, after discussing participation requirements for the Inmate Religious Diet Program, the inmate still desires to participate in the Inmate Religious Diet Program, he/she shall be required to sign Part III of WDOC Form #504, *Inmate Religious Diet Program Questionnaire*, affirming his/her desire to participate in the Inmate Religious Diet Program. The inmate shall also be required to complete WDOC Form #505, *Inmate Religious Diet Program Participation Agreement*, indicating the inmate's agreement to abide by the conditions of participation in the Inmate Religious Diet Program for that particular faith group.
- 6. If, after discussing participation requirements for the Inmate Religious Diet Program, the inmate does not desire to participate in the Inmate Religious Diet Program, he/she shall be required to sign Part III of WDOC



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Form #504, *Inmate Religious Diet Program Questionnaire*, withdrawing his/her request to participate in the Inmate Religious Diet Program.

7. The religious dietary accommodations made for each inmate shall be based on the results of the interview, the validation of the sincerity of the religious belief, a review of the religious requirements of that religion, and sound professional and correctional judgment.
8. Upon receiving the inmate's signed agreement (WDOC Form #505, *Inmate Religious Diet Program Participation Agreement*) the facility chaplain or designee shall approve the inmate's request unless the inmate has previously been disqualified from participation in the Inmate Religious Diet Program in accordance with this Policy and Procedure.
9. Inmates who are approved for participation in the Inmate Religious Diet Program at one WDOC operated correctional facility shall have that diet continued upon subsequent transfer to another WDOC operated correctional facility, following written request by the inmate to participate in the same religious diet program at his/her new institution and verification of the inmate's active approval for participation at the previous facility assignment by the chaplain, using the documentation process described below.
10. Inmates transferred to and/or from non-WDOC operated contract facilities shall be required to reapply for participation in that contract facility's religious diet program and/or the WDOC Inmate Religious Diet Program upon their return to a WDOC operated facility. Approval for participation in a religious diet program offered at a contract facility shall not be controlling for participation in the WDOC Inmate Religious Diet Program and vice versa.

C. Documentation Process

1. If the inmate's request is approved, the facility chaplain or designee shall request the inmate's assigned case manager to document the inmate's program status in the Department's WCIS Offender Database.
 - i. The inmate's name, inmate number, and program status (or changes thereto) shall be provided to the inmate's assigned case manager through e-mail for transfer into the WCIS system.
 - ii. All activity related to entry into, suspension from, reinstatement to and termination from participation in the Inmate Religious Diet Program shall be posted within the case notes section of the



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Department's WCIS Offender Database for tracking purposes by the inmate's assigned case manager.

2. The facility chaplain or designee shall forward the original signed agreement (WDOC Form #505, *Inmate Religious Diet Program Participation Agreement*) to the correctional facility's records office for filing in the inmate's institution working file and shall forward a copy of the agreement (WDOC Form #505) to the correctional facility's food service supervisor.
3. A copy of the signed agreement (WDOC Form #505) shall also be kept on file in the facility chaplain's office and one (1) copy shall be sent to the inmate.

D. Suspension, Termination, and/or Reinstatement From the Inmate Religious Diet Program

1. Voluntary Termination

- i. An inmate may terminate his/her participation in the Inmate Religious Diet Program by submitting a written request on an inmate communication form to the facility chaplain or designee.
- ii. Upon receiving the inmate's written request, the facility chaplain or designee shall verify the accuracy of the request by interviewing the requesting inmate. The facility chaplain or designee shall complete the notice of violation (WDOC Form #506, *Inmate Religious Diet Program Notice of Violation*), indicating the inmate's voluntary withdrawal from the program, terminate the inmate from the Inmate Religious Diet Program, notify the food services supervisor of the voluntary termination from the program, and request the inmate's assigned case manager to document the inmate's voluntary termination in the WCIS Offender Database via e-mail to the assigned case manager.
- iii. Inmates who voluntarily terminate their participation in the Inmate Religious Diet Program may still choose to meet their dietary needs through the regular menu offerings and self-selection from the main food service line, including the no-flesh option.
- iv. An inmate who is voluntarily terminated from participation in the Inmate Religious Diet Program may request reinstatement to the Inmate Religious Diet Program by submitting a written request to the facility chaplain or designee no sooner than ninety (90)



calendar days following the date of termination from the Inmate Religious Diet Program.

- v. Upon receiving the written request, the facility chaplain or designee shall ensure participation requirements outlined in Section IV.B. are met.
 - a. Once the approval process is completed, the facility chaplain or designee shall reinstate the inmate to the Inmate Religious Diet Program, notify the food services supervisor in writing of the inmate's reinstatement, including the date and beginning meal period of such reinstatement, and shall request that the inmate's assigned case manager document the inmate's reinstatement in the WCIS Offender Database via e-mail to the assigned case manager.
 - b. If the inmate no longer meets the approval criteria outlined in Section IV.B., the inmate shall be notified in writing that his/her application for reinstatement is denied. The inmate may then request an administrative review in accordance with Section IV.D.5. of this policy within seven (7) days of the denial.

2. Seven (7) Day Suspension

- i. An inmate who violates the conditions of participation set forth in the agreement (WDOC Form #505, *Inmate Religious Diet Program Participation Agreement*), (i.e., the inmate is observed and documented by a staff member during a meal to be eating or possessing foods on his/her food tray other than that served as part of the religious diet, or the inmate is observed purchasing and/or consuming items from the commissary that violate the mandatory dietary tenets of the faith, or the inmate is observed giving away food items, or the inmate fails to eat six (6) or more consecutive religious diet meals without proper written notice to the chaplain and food services manager) shall receive a seven (7) calendar day suspension.
- ii. The suspension is not punitive in nature but provides an opportunity for the inmate and staff to reevaluate the Inmate Religious Diet Program's appropriateness to meet the inmate's demonstrated needs.



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- iii. The facility chaplain or designee shall complete the notification of the violation (WDOC Form #506, *Inmate Religious Diet Program Notice of Violation*) and attach supporting documentation of the violation to the notice (WDOC Form #506).
- iv. Upon suspension, the facility chaplain or designee shall request via e-mail the inmate's assigned case manager to document the suspension in the WCIS Offender Database and shall also notify the food services supervisor of the suspension, including the beginning date and meal period.
- v. Religious diet trays shall not be prepared for the inmate during the suspension period. Inmates who are suspended from participation in the Inmate Religious Diet Program may meet their dietary needs through the regular menu offerings and self-selection from the main food service line, including the no-flesh option, to the extent possible by those offerings.
- vi. An inmate who has been suspended from participation in the Inmate Religious Diet Program and who desires reinstatement must submit a written request for reinstatement on an inmate communication form to the facility chaplain or designee.
- vii. Upon completion of the full period of suspension and receiving the written request, the facility chaplain or designee shall reinstate the inmate to the Inmate Religious Diet Program, shall notify the food services supervisor of the beginning date and meal period of the reinstatement, and shall request that the inmate's assigned case manager document the inmate's reinstatement in the WCIS Offender Database via e-mail written to the assigned case manager.

3. Thirty (30) Day Suspension

- i. An inmate who violates the conditions of participation set forth in the agreement (WDOC Form #505, *Inmate Religious Diet Program Participation Agreement*), after receiving a seven (7) day suspension shall be suspended from the Inmate Religious Diet Program for thirty (30) calendar days by the facility chaplain or designee.
- ii. The suspension is not punitive in nature but provides an opportunity for the inmate and staff to reevaluate the Inmate Religious Diet Program's appropriateness to meet the inmate's demonstrated needs.



- iii. The facility chaplain or designee shall complete the notification of the violation (WDOC Form #506, *Inmate Religious Diet Program Notice of Violation*) and attach supporting documentation of the violation to the notice (WDOC Form #506).
- iv. Upon suspension, the facility chaplain or designee shall request via e-mail to the inmate's assigned case manager to document the suspension in the WCIS Offender Database and shall also notify the food services supervisor of the suspension, including the beginning date and meal period.
- v. Religious diet trays shall not be prepared for the inmate during the suspension period. Inmates who are suspended from participation in the Inmate Religious Diet Program may meet their dietary needs through the regular menu offerings and self-selection from the main food service line, including the no-flesh option, to the extent possible by those offerings.
- vi. An inmate who has been suspended from participation in the Inmate Religious Diet Program and who desires reinstatement must submit a written request for reinstatement on an inmate communication form to the facility chaplain or designee no sooner than thirty (30) days following the date of suspension from the Inmate Religious Diet Program.
- vii. Upon receiving the written request, the facility chaplain or designee shall ensure participation requirements outlined in Section IV.B. are again met.
 - a. Once the approval process is completed, the facility chaplain or designee shall reinstate the inmate to the Inmate Religious Diet Program, notify the food services supervisor of the inmate's reinstatement, including the date and beginning meal period of such reinstatement, and shall request the inmate's assigned case manager to document the inmate's reinstatement in the WCIS Offender Database via e-mail written to the assigned case manager.
 - b. If the inmate no longer meets the approval criteria outlined in Section IV.B., the inmate shall be notified in writing that his/her application for reinstatement is denied. The inmate may then request an administrative review in accordance



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with Section IV.D.5. of this policy within seven (7) days of the denial.

4. Involuntary Termination

- i. An inmate who violates the conditions of participation set forth in the agreement (WDOC Form #505, *Inmate Religious Diet Program Participation Agreement*), after reinstatement from a thirty (30) day suspension shall be permanently terminated from participation in the Inmate Religious Diet Program, subject only to the decision of the correctional facility CEO upon administrative review.
- ii. Upon involuntary termination, the facility chaplain or designee shall notify the inmate by written memorandum to include a notice of the inmate's ability to request an administrative review, shall request via e-mail to the inmate's assigned case manager to document the program termination in the WCIS Offender Database and shall notify the food services supervisor of the inmate's termination from the Inmate Religious Diet Program.

5. Administrative Review

- i. An inmate who has been involuntarily terminated from participation in the Inmate Religious Diet Program, or whose request for reinstatement to the Inmate Religious Diet Program following a thirty (30) day suspension is denied, may request an independent review of the termination/denial decision and reinstatement to the Inmate Religious Diet Program by writing to the CEO of the correctional facility within seven (7) days of the date of termination from the Inmate Religious Diet Program or denial for reinstatement. The review request must be in writing, and shall specify the reason(s) why the inmate should be reinstated to the Inmate Religious Diet Program.
- ii. Upon review, the CEO may determine, in his/her sole discretion, to reinstate the inmate to the Inmate Religious Diet Program or to order the inmate's permanent termination from the Inmate Religious Diet Program.
- iii. The CEO shall notify the inmate in writing of his/her decision, shall provide a copy of that decision to the food services supervisor, and shall cause the inmate's assigned case manager to



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document the inmate's permanent termination from the Inmate Religious Diet Program on the WCIS Offender Database.

- iv. Decisions made by the CEO concerning involuntary termination from the Inmate Religious Diet Program in accordance with this section may be appealed using the Inmate Religious Diet Program dispute resolution process. (See Section IV.G. below.)
- v. Inmates who are removed from the Inmate Religious Diet Program may reapply for participation in the Inmate Religious Diet Program after a period of at least one (1) year from the date of permanent termination from the Inmate Religious Diet Program.

E. Food Service Operations. The religious tenets of most religions may be met through self-selection from the food services main line, including the no flesh option. Master cyclical menus have been developed and provided to institutional food service operations as a guide for facilitating the self-selection process.

1. General Provisions

- i. Inmates who eat in the correctional facility's inmate dining room and receive special meals (including religious meals) shall be permitted or required to go to the front of the serving line to get their meals, depending upon institutional need for timely completion of the meal.
- ii. WDOC correctional facilities shall provide at least one (1) separate microwave oven in each inmate dining room dedicated specifically to only non-pork food items and shall assure that staff enforces the restriction. More than one separate functional microwave oven should be provided when necessary to ensure heating of non-pork items can usually be completed prior to the last person in the serving line receiving his/her meal, so as to not unduly delay completion of the meal period.
- iii. WDOC shall make individually wrapped sanitary wipes available for inmate purchase through the commissary, and shall permit inmates to bring several wipes with them to the inmate dining room in order to clean the microwave, prior to use.
- iv. Whenever doing so is compatible with normal correctional facility operations and the inmate's individual classification and assignment, religious diets shall be served and consumed in the



facility's inmate dining room. Special diet meal trays may be delivered to and consumed in the inmate's living quarters, when doing so is in keeping with normal correctional facility operations for that classification and assignment of inmate. However, meals served in the facility's inmate dining room may not be removed from the dining room for consumption.

- v. All inmates who eat in the correctional facility's inmate dining room shall have at least twenty (20) minutes to eat their meals beginning from the time that the last person in the serving line receives his/her meal. Correctional facility staff shall deliver a verbal notice to inmates, either over the intercom or by some other audible announcement, at least ten (10) minutes prior to, and again approximately five (5) minutes prior to, the inmates being escorted to the correctional facility's inmate dining room.
- vi. Those inmates who receive a religious diet meal tray and who are observed eating items off the main line or from elsewhere that are in violation of the tenets of their religion or who purchase and/or consume non-certified foods from the commissary that are in violation of the tenets of their religion may be temporarily removed from participation in the Inmate Religious Diet Program in accordance with this policy.

2. **Religious Diets to Registered and Approved Inmates.** The following religious diets may be required by adherents of certain faiths. These religious diets shall normally be provided to registered and approved inmates only as pre-prepared and wrapped/covered trays containing the certified food component.

- i. **Kosher Religious Diet.** Jewish inmates in WDOC correctional facilities who have received approval to participate in the WDOC food service operation's Inmate Kosher Religious Diet Program (Kosher Religious Diet Program) as a verified adherent of Judaism shall be served a kosher diet, prepared and served in accordance with Kashruth standards established by the Union of Orthodox Congregations of America.
 - a. Kosher meals and/or kosher food items may be pre-packaged by WDOC and/or prepared in accordance with dietary guidelines provided by an approved Jewish religious representative or may be purchased from an outside vendor selling nationally recognized, religiously certified processed kosher foods.



- b. Kosher foods shall be protected from direct contact with non-kosher containers, utensils or food.
 - c. Due to the strict preparation guidelines and limited kosher product availability, the variety of menus and items available for the Kosher Religious Diet Program may be more restricted than those available to others in the general inmate population.
 - d. The kosher menu may include items that are inherently kosher and may be eaten in their natural state (*e.g.*, grain, fruit, vegetables, tea, coffee, *etc.*) and meat, poultry and cheese that is processed to be kosher.
 - e. Dietary and caloric requirements as established by a licensed dietician for the Kosher Religious Diet Program shall be met.
 - f. Where available, any inmate may supplement menu items with kosher snacks sold through the facility's commissary to the amounts authorized by institutional policy and/or the appropriate property matrix, but such items may not be taken to the food services or dining areas.
 - g. Food offered as part of the Kosher Religious Diet Program shall only be served with disposable tray, cup and tableware.
 - h. Inmates approved for participation in the Kosher Religious Diet Program who fail to participate in six (6) or more consecutive meals shall be suspended from participation in the Kosher Religious Diet Program, unless that inmate was not physically present in general population at the institution or was medically excused from meal participation.
- ii. **Pork-Free ("Wholesome Meats") Religious Diet.** Inmates in WDOC correctional facilities who have received approval to participate in the WDOC food service operation's Inmate Religious Pork-Free (*i.e.*, wholesome or clean meats) Diet Program (Pork-Free Religious Diet Program) as verified adherents of Islam, Moorish Science Temple, Nation of Islam, Seventh Day Adventist,



Sufism, or Worldwide Church of God faiths, shall be served a diet that is free of pork, pork products and shellfish.

- a. The pork-free religious diet may include wholesome meats, as defined by religious tenets contained in the *WDOC Handbook of Religious Beliefs*, and fowl, eggs, milk and dairy products, fruits, grains and vegetables.
- b. Wholesome meats generally include the flesh of animals such as cows, sheep, goats, deer, moose, chickens, ducks, game birds, *etc.* Kosher meat is recommended. Meat that is *Halal* or *Zabahah* (slaughtered according to Islamic rites) may be utilized if immediately available through a regular Department approved vendor at a price comparable to Kosher.
- c. The Pork-Free Religious Diet Program shall be prepared by food services staff and inmates in a way that does not permit it to come into contact with pork content, including utensils used for the preparation of pork and its products prior to a complete washing.
- d. Due to the strict preparation guidelines and limited product availability, the variety of menus and items available for the Pork-Free Religious Diet Program may be more restricted than those available to others in the general inmate population.
- e. Dietary and caloric requirements as established by a licensed dietician for the Pork-Free Religious Diet Program shall be met.
- f. Where available, any inmate may supplement menu items with pork-free snacks sold through the facility's commissary to the amounts authorized by institutional policy and/or the appropriate property matrix, but such items may not be taken to the food services or dining areas.
- g. Inmates approved for participation in the Pork-Free Religious Diet Program who fail to participate in six (6) or more consecutive meals shall be suspended from participation in the Pork-Free Religious Diet Program, unless that inmate was not physically present in general



population on the institution or was medically excused from meal participation.

- iii. **Vegetarian Religious Diet.** Inmates in WDOC correctional facilities who have received approval to participate in the WDOC food service operation's Inmate Religious Vegetarian Diet Program (Vegetarian Religious Diet Program), who are verified adherents of Buddhist, Hindu, Krishna, Rastafarian, or Sikh faiths, shall be served a diet free of animal flesh and animal products. This diet excludes meat, fish, fowl, eggs, honey and dairy products. Acceptable items include such things as grains, fruits, berries, most vegetables, vegetable oils and seeds.
- a. The Vegetarian Religious Diet Program shall exclude onions and garlic, in its preparation and service, so that the same diet may be prepared for all inmates whose religious tenets require a vegetarian diet as a basis.
 - b. The Vegetarian Religious Diet Program shall exclude animal flesh (*e.g.*, meat, poultry, fish and seafood) and animal products (*e.g.*, eggs, dairy and honey), in its preparation and service,
 - c. The Vegetarian Religious Diet Program shall be prepared by food services staff and inmates in a way that does not permit it to come into contact with animal flesh or animal products, including utensils used for the preparation of animal flesh and animal products prior to a complete washing.
 - d. The Vegetarian Religious Diet Program may be supplemented by the inmate to include eggs and/or milk and dairy products, according to his/her agreement (WDOC Form #505, *Inmate Religious Diet Program Participation Agreement*), unless the inmate is Krishna, Rastafarian or Sikh.
 - e. Inmates participating in the Vegetarian Religious Diet Program, whose religious tenets authorize a lacto-vegetarian diet (*e.g.*, Hindu) shall be able to supplement the vegetarian religious diet tray with milk and dairy products, when they are available as part of the regular meal service.



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- f. Inmates participating in the Vegetarian Religious Diet Program, whose religious tenets authorize an ovo-lacto vegetarian diet (*e.g.*, Buddhist) shall be able to supplement the vegetarian religious diet tray with eggs and with milk and dairy products, when they are available as part of the regular meal service.
 - g. Due to limited product availability, the variety of menus and items available for the Vegetarian Religious Diet Program may be more restricted than those available to others in the general inmate population.
 - h. Dietary and caloric requirements as established by a licensed dietician for the Vegetarian Religious Diet Program shall be met.
 - i. Where available, any inmate may supplement menu items with vegetarian snacks or other approved items sold through the facility's commissary to the amounts authorized by institutional policy and/or the appropriate property matrix, but such items may not be taken to the food services or dining areas.
 - j. Inmates approved for participation in the Vegetarian Religious Diet Program who fail to participate in six (6) or more consecutive meals shall be suspended from participation in the Vegetarian Religious Diet Program, unless that inmate was not physically present in general population on the institution or was medically excused from meal participation.
3. **Monitoring.** Both chaplains and food services staff shall monitor the religious diet participant list on a regular basis to ensure that all approved inmates are served the appropriate religious diet with minimal delay. Chaplains shall ensure that the preparation and serving of food items and compliance with religious dietary laws are randomly monitored.
4. **Religious Fasts.** Inmates may be allowed to participate in public religious fasts (*i.e.*, one which is regulated by religious law or custom for all faith adherents) or personal religious fasts.
 - i. **Public Religious Fasts.** When inmates observe a public religious fast, food services shall provide a meal that is nutritionally equivalent to last meal missed upon the breaking of the fast.



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Public fasts usually begin and end at specific times. Accommodation may be made for sack meals at times when the food services department or dining facility is normally closed.

ii. **Personal Religious Fasts.** Inmates wishing to engage in personal religious fasts that will last more than six (6) consecutive meals but no longer than thirty (30) days, must provide written notice of the starting time and date, the intended duration of the fast, and the ending time and date to the correctional facility chaplain and food services manager at least seven (7) calendar days in advance of the fast or face suspension from the religious diet program. An inmate engaging in a personal religious fast shall be provided a meal that is nutritionally equivalent to last meal missed upon the breaking of the fast. Accommodation may be made for sack meals at times when the food services department or dining facility is normally closed.

a. An inmate who engages in a personal religious fast lasting less than six (6) consecutive meals shall not be provided any special meal service.

iii. **Fasts Ending at Sundown.** For fasts ending at sundown, inmates who provide proper notice in accordance with this policy shall receive a meal that is nutritionally equivalent to the last meal missed after sunset on the day of the sixth consecutively missed meal and after sunset on each day thereafter during the fast. Such inmates shall not need to wait until the next regularly scheduled meal. Accommodation may be made for sack meals at times when the food services department or dining facility is normally closed.

F. Suspension of Inmate Religious Diet Program During Declared Emergencies and Periods of Housing Area or Facility Lock Down; Medically Required Sacked Meals

1. Delivery of meals that are in full compliance with the requirements of the Inmate Religious Diet Program may be suspended during periods of declared emergency and for up to seventy-two (72) hours during housing area or facility lock-down that involve the participating inmate or the inmate's housing location.
2. Medically-related sacked meals that are served in addition to normal meal service shall include non-processed fruit or vegetables protected from contact with other food items contained in the sacked meal, but shall not otherwise be required to meet religious diet program requirements.



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G. Inmate Religious Diet Program Dispute Resolution

1. Issues regarding participation in the Inmate Religious Diet Program shall be resolved by the facility chaplain or designee whenever possible, in consultation with the correctional facility CEO and the Prison Division Deputy Administrator for Support Services, to ensure consistency of interpretation and application of WDOC policy and procedures regarding inmate religious exercise.
2. When the chaplain, in consultation with the correctional facility CEO and the Prison Division Deputy Administrator for Support Services, is unable to satisfactorily resolve a religious diet dispute, inmates shall use the inmate grievance procedure.
 - i. In responding to inmate grievances regarding approval, denial or restrictions on religious diet privileges, the CEO and/or the Prison Division Deputy Administrator for Support Services shall consult with appropriate religious representatives and/or other authorities as needed to clarify issues of religious doctrine and practice.
 - ii. Use of the inmate grievance procedure is the complete and exclusive due process right created or intended to be created by this policy, and no constitutionally protected, property, privacy, freedom of religion, freedom of speech, or other interests are intended to be created, either expressly or impliedly, by this policy.

V. TRAINING POINTS

- A. True or False: It is possible for most inmates to satisfy the dietary requirements of their religion through regular menu offerings and self-selection from the main food service line, including the no-flesh option.
- B. What are the three (3) kinds of religious diet?
- C. Who has the authority to approve an inmate for participation in the Inmate Religious Diet Program?
- D. May an inmate's religious diet privileges be suspended or terminated if he/she purchases, possesses or consumes food items prohibited by the mandatory dietary tenants of their faith?



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- E. Who is responsible for monitoring an inmate's compliance with religious diet guidelines and how often is monitoring required?
- F. Can disputes over religious diets be grieved through the inmate grievance process?